

MILPERSMAN 1910-102

SEPARATION BY REASON OF CHANGES IN SERVICE OBLIGATION (ACTIVE DUTY AND INACTIVE NAVY RESERVIST)

Responsible Office	NAVPERSCOM (PERS-835) Active Enlisted members	Phone:	DSN COM FAX	882-4431 (901) 874-4431 882-2754
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References	(a) BUPERSINST 1001.39F (b) 10 U.S.C. 651
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1. **Separation Authority.** Commander, Navy Personnel Command (COMNAVPERSCOM) .

2. **Policy**

a. COMNAVPERSCOM may authorize or direct separation of enlisted personnel prior to expiration of active obligated service (EAOS) due to:

(1) General demobilization or a reduction in authorized strength; and or

(2) Acceptance of an Active Duty commission of permanent appointment or acceptance into a program leading to an Active Duty commission of appointment in any branch of the Armed Forces.

b. **Commanding Officers** (COs) are authorized to separate or transfer enlisted personnel for separation within 90 days of EAOS when:

(1) A ship or mobile unit is about to deploy with probability of not returning to the United States before expiration of member's EAOS and with type commander approval;

(2) The homeport of a ship or command changes and there is insufficient time to return the member to the old homeport for separation processing, or to complete separation processing at the new homeport prior to member's EAOS;

(3) A member is in a temporary duty under treatment status or has been found physically qualified to resume full duty regardless of duty status within 3 months or less of EAOS and does not desire to reenlist. The CO of the medical activity or the member's parent CO is authorized to separate or transfer a member for separation;

(4) A member was received from an overseas activity and is awaiting separation at a separation activity (refer to MILPERSMAN 1910-812) by reason of EAOS and member has not indicated a desire to reenlist; or

(5) The unit is deactivating and the member's separation date is during the month of deactivation.

3. **Members Transferred to Another Activity.** If member is transferring to another activity for separation, complete the separation within 10 calendar days of transfer, unless the CO determines special circumstances exist and member should be discharged at a later date. Do not transfer personnel to another activity for separation solely to await their EAOS.

a. A member may be separated:

(1) Up to 3 days prior to EAOS, when EAOS expires on a Saturday, Sunday, holiday, or a day preceding a national holiday;

(2) Up to 90 days prior to EAOS upon completion of a cruise, when member extended enlistment for the express purpose of participating in or completing the cruise;

(3) Up to 31 days prior to EAOS, when assigned to a ship or unit that returns from an extended deployment of 6 months or more; or

(4) No earlier than 14 December of the year of the member's EAOS, if EAOS expires between 21 December and 3 January of the following year.

b. Early separation need not be authorized for a member who or whose:

(1) In the judgment of the CO, cannot be spared;

(2) Does not desire early separation;

(3) Is a reservist undergoing Active Duty for training;

(4) EAOS will occur during the period above as a result of any other early release program;

(5) Is scheduled for transfer to Fleet Reserve or retirement;

(6) Is returning from a permanent overseas duty station and does not desire early separation; or

(7) Is serving overseas and is entitled to and elects transportation to an area outside of the continental United States (CONUS); however, member may request separation prior to arrival in CONUS.

4. **Two-Crew Trident Submarines.** Due to the unique nature of Trident submarine patrols versus standard 6-month deployments, Trident COs may, with concurrence of the submarine group commander, separate on board crew members who are within 90 days of EAOS upon return from a strategic patrol of 60 days or more, and who do not intend to reenlist. Personnel whose EAOS is greater than 90 days on the date of return from patrol will be reassigned per the force commander's guidance.

5. **Criteria for General Demobilization.** COMNAVPERSCOM may approve a voluntary separation request from a member when:

a. Navy is in an authorized period of reduction (end-strength);

b. Member is within 1 year of EAOS;

c. Member is not serving in a rating, Navy enlisted classification (NEC) code, occupational field, or military

occupational specialty in which COMNAVPERSCOM determines to be undermanned;

d. A contact relief is not required and command is willing to gap the billet; or

e. Early separation will not affect the mission of the command.

6. **Commission in Another Branch of Service**

a. Members interested in obtaining a commission in another branch of service must **first** request a conditional release via their CO to Navy Personnel Command (NAVPERSCOM), Enlisted Performance and Separations Branch (PERS-832) using NAVPERS 1306/7 Enlisted Personnel Action Request. If approved, member may then apply for a commissioning program.

b. Generally, the following will not be approved:

(1) Members who incurred additional obligated service (OBLISERV) or any other NEC producing schools with OBLISERV.

(2) Members in ratings listed in career reenlistment objectives group 1, or with critically undermanned skills or NECs.

c. Upon official notification of selection for appointment or commission in another branch of the Armed Forces, members must request separation via their CO to NAVPERSCOM (PERS-832) using NAVPERS 1306/7 and including a copy of the acceptance or appointment letter and reporting requirement from the officer program.

d. Selective reenlistment bonus may be recouped if released for commissioning under this article.

7. **Selected Reserve Personnel**

a. Reserve members may request a conditional release from the Navy Reserve via DD 368 Request for Conditional Release. All DD 368s shall be submitted via the Navy Reserve activity CO to NAVPERSCOM, Reserve Enlisted Status Branch (PERS-913) for final determination. Requests from members who fall into the following categories will be adjudicated per reference (a):

(1) Member has been accepted for enlistment in a Reserve component of another branch of Armed Forces for the purpose of enrolling in an officer training program.

(2) Member desires a transfer to enroll in an officer candidate program, including college level Reserve Officer Training Corps, and the prospective gaining component accepts member. Requests will be approved provided the Navy reservist has no mandatory drilling obligation.

(3) Member has not received an enlistment or reenlistment bonus for current term of enlistment.

(4) Member has been accepted for appointment to commissioned status in a Regular or Reserve component of any branch of the Armed Forces.

(5) Member has been accepted for enlistment in the Regular component of the Army, Marine Corps, Air Force, or Coast Guard.

(6) Member is enrolled in the Non-Prior Service (NPS) Program.

(7) Reserve member has been accepted for enlistment into Regular Navy component, including NPS personnel.

b. Generally, the following requests will not be approved:

(1) National accession training personnel in an Inactive status with fewer than 24 months of mandatory service as a drilling reservist.

(2) National call to service personnel in an Inactive status with fewer than 24 months of mandatory service as a drilling reservist.

NOTE: Once permission is granted, an inter-service transfer will be accomplished by discharge from Navy Reserve for immediate enlistment or appointment to the gaining component. Do not interrupt continuity of the reservist's total military service. Members will be credited with the total amount of service accrued as of the effective date of discharge. A separation, for the purpose of inter-service transfer, will not constitute release from, or fulfillment of, military service obligation established by reference (b). Additional service

performance after the discharge will be counted toward fulfillment of obligation. The gaining Reserve component will furnish a copy of DD 4 Enlistment/Reenlistment Document Armed Forces of the United States (Page 1) or appointment order to losing unit or activity within 15 days to permit timely discharge action. The losing command will ensure proper Navy Standard Integrated Personnel System loss entries are entered without delay.

8. **Characterization of Separation.** Using notification procedures referenced in MILPERSMAN 1910-402, the least favorable characterization of service is General. If member is in entry level status, the description of service may be entry level separation. This does not apply to Inactive Navy reservists.